

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

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In re:

THE FINANCIAL OVERSIGHT AND  
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et*  
*al.*,

Debtors.<sup>1</sup>

PROMESA  
Title III

No. 17 BK 3283-LTS

(jointly administered)

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SAN JUAN, P.R.

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**Response to the One Hundred Forty-Third Omnibus Objection (Non-Substantive) of the Commonwealth of Puerto Rico, Puerto Rico Highways and Transportation Authority, and Employees Retirement System of the Government of the Commonwealth of Puerto Rico to Deficient Claims Asserting Interests based upon unspecified Puerto Rico Statutes**

**COMES NOW**, Gloria Pérez Montano, PRO SE litigant, former employee of the Department of Education for the Commonwealth of Puerto Rico and one of the claimants in the present procedure No. 17 BK 3283-LTS under the Title III Promesa.

<sup>1</sup> The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17-BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority ("PBA") (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

### **BACKGROUND**

1. The undersigned claimant submitted a proof of claim for payment against the Commonwealth of Puerto Rico, dated June 28, 2018, claim number 119143 in the approximate amount of \$15,000.00. The 9<sup>th</sup> of July 2018 the claim was filed.

2. The proof of claim was based on a salary demand which dates back to 1979, when Law 89 of July 12, 1979 (Ley Número 89 del 12 de julio del 1979) Uniform Remuneration Law (Ley de Retribución Uniforme) was passed.

3. Apparently, the Law 89 is better known among the Department of Education claimants as the “Romerazo” a name which refers to the former governor of Puerto Rico, Carlos Romero Barceló.

4. Since the approval of Law 89, a new public policy began to develop in regard to salaries and marginal benefits for public employees, in order to provide them with equivalent employment incentives of the private sector (See Preamble to the Law 96 of 2002).

5. The Commonwealth of Puerto Rico represented by the Financial Oversight and Management Board filed the past January 14, 2020, an Omnibus Global Objection to “deficient claims asserting interests based upon unspecified Puerto Rico statutes”.

6. In summary, the Commonwealth alleges that numerous creditors’ claims are deficient since they lacked to provide essential information “such as the specific law number and year in which the statute was passed” regarding the basis for their claim against the Commonwealth.

### **RESPONSE TO OMNIBUS OBJECTION**

7. One of the main purposes of the aforementioned Law 89 was to provide equal treatment to the public employee of the Commonwealth of Puerto Rico in terms of remuneration benefits. In

accordance with this aim, the law established an improved system of retribution to determine monthly salaries, raises and award promotions.

8. The Law 89 which applied to all government agencies, including the Department of Education required uniformity and transparency in remuneration policies.

9. Although the undersigned claimant was an employee of the Department of Education of the Commonwealth of Puerto Rico (from August 8, 1977 to December 20, 2007), when Law 89 came into effect, she did not benefit in terms of wage increase from this new system of retribution (Exhibit 2).

10. Therefore, the undersigned opposes the Omnibus Global Objection of the Commonwealth, because the proof of claim 119143 is based on a specific statute passed by the Commonwealth when she was an active employee of the Department of Education.

11. Moreover, the claimant provides in this motion information and documents which supports her credit against the Commonwealth of Puerto Rico.

**WHEREFORE**, the claimant respectfully requests to this Honorable Court to deny the Omnibus requested relief.

**CERTIFICATE OF SERVICE**, I hereby certificate that a true and correct copy of the foregoing motion and exhibits was served through the US certified mail to the Clerk's Office, United States District Court at Room 150 Federal Building San Juan, Puerto Rico 00918-1767; to the Counsel for the Oversight Board, at Proskauer Rose LLP, Eleven Times Square, New York, New York 10036-8299, Attn: Martin J. Bienenstock, Brian S. Rosen; and to the Counsel for the Creditors' Committee, Attn. Luc A. Despins, James Bliss, James Worthington, and G. Alexander Bongartz.

Date: February 12, 2020

Arecibo, Puerto Rico

**RESPECTFULLY SUBMITTED,**



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